

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	Unassigned
Applicant	John A. GIORDANO et al.
Filed	2 March 2004
TC/Art Unit	Unassigned
Examiner	Unassigned
Docket No.	48508-00014
Customer No.	23767

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.56(b)

Mail Stop Patent Application
Commissioner for Patents
Alexandria VA 22313

Sir:

In order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56, submitted herewith on Form PTO/SB/08A is a listing of documents known to Applicants. The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

Applicants are submitting herewith on Form PTO/SB/08A a list of the documents cited by or submitted to the Patent Office in parent application Serial No. 10/315,159, filed on 10 December 2002.

Serial No. Unassigned

Atty. Docket No. 48508-00014


As provided in 37 C.F.R. 1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. 10/315,159, filed on 10 December 2002.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. § 609.

This statement is being filed in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application. Accordingly, no fee is required in connection with this filing. Nonetheless, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment associated with the filing of this paper to undersigned's Deposit Account No. 50-1067.

Respectfully submitted,

2 March 2004



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U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	3,160,564	12/08/1964	Hanus	
	A2	4,710,387	12/01/1987	Uiterwaal et al.	
	A3	4,740,373	04/26/1988	Kesselman et al.	
	A4	4,804,535	02/14/1989	Kesselman et al.	
	A5	4,940,658	07/10/1990	Allen et al.	
	A6	4,945,083	07/31/1990	Jansen, Jr.	
	A7	5,108,767	04/28/1992	Mulchandani et al.	
	A8	5,278,329	01/11/1994	Anderson	
	A9	5,374,560	12/20/1994	Allen et al.	
	A10	5,438,017	08/01/1995	Allen et al.	
	A11	5,457,055	10/10/1995	Allen et al.	
	A12	5,494,678	02/27/1996	Paradissis et al.	
	A13	5,514,382	05/07/1996	Sultenfuss	
	A14	5,556,644	09/17/1996	Chandra	
	A15	5,563,126	10/08/1996	Allen et al.	
	A16	5,626,884	05/06/1997	Lockett	
	A17	5,795,873	08/18/1998	Allen	
	A18	5,869,084	02/09/1999	Paradissis et al.	
	A19	5,898,036	04/24/1999	McLeod	
	A20	5,922,704	07/13/1999	Bland	
	A21	5,976,568	11/02/1999	Riley	

FOREIGN PATENT DOCUMENTS						
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	A22	EP 0 482 715 A1	04/29/1992	Maurizio LUCA		
	A23	EP 0 891 719 A1	01/20/1999	N.V. Nutricia		
	A24	WO 99/07419 A1	02/18/1999	Ajay GUPTA		

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	A25	Stein et al., 3 BLOOD PURIFICATION 52-62 (1985).	
	A26	Blumberg et al., 20(5) CLIN. NEPHROL. 244-50 (1983).	
	A27	Allman et al., 150 MED. J. AUSTRALIA 130-33 (1999).	
	A28	Story et al., 27(1) CRIT. CARE MED. 220-23 (1999).	

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	A29	6,042,849	03/28/2000	Richardson et al.	
	A30	6,048,846	04/11/2000	Cochran	
	A31	6,054,128	04/25/2000	Wakat	
	A32	6,090,414	07/18/2000	Passwater et al.	
	A33	6,103,756	08/15/2000	Gorsek	
	A34	6,136,859	10/24/2000	Henriksen	
	A35	6,207,651 B1	03/27/2001	Allen et al.	
	A36	6,228,388 B1	05/08/2001	Paradissis et al.	
	A37	6,245,360 B1	06/12/2001	Markowitz	
	A38	6,255,341 B1	07/03/2001	DeMichele et al.	
	A39	6,297,224 B1	10/02/2001	Allen et al.	
	A40	6,299,896 B1	10/09/2001	Cooper et al.	
	A41	6,361,800 B1	03/26/2002	Cooper et al.	
	A42	6,528,496 B1	03/04/2003	Allen et al.	
	A43	2001/0028896 A1	10/11/2001	Byrd	
	A44	2001/0036500 A1	11/01/2001	Uchida et al.	
	A45	2002/0015742 A1	02/07/2002	Jackson et al.	
	A46	2002/0025310 A1	02/28/2002	Bland	

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	A47	Makoff, 25 MINER. ELECTROLYTE METAB. 349-51 (1999).	
	A48	Shah et al., 18(1) AMER. J. KIDNEY DIS. 84-90 (1991).	
	A49	Shah et al., 10(1) AMER. J. KIDNEY DIS. 42-49 (1992).	
	A50	Vos, 161 ARCH. INTERN. MED. 774-75 (2001).	
	A51	House et al., 45(1) ASAIO J. 94-97 (1999).	

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	A52	Descombes et al., 24(10) ARTIFICIAL ORGANS 773-78 (2000).	
	A53	The VITATOPS Trial Study Group, 13 CEREBROVASC. DIS. 120-26 (2002).	
	A54	Frank et al., 70(4) INT. J. VITAM. NUTR. RES. 159-66 (2000).	
	A55	Dierkes et al., 11(2) J. RENAL NUTR. 67-72 (2001).	
	A56	Henning et al., 95(9) MEDIZIN. KLINIK 477-81 (2000).	
	A57	Bazzarre et al., 12(2) J. AMER. COLL. NUTR. 162-69 (1993).	
	A58	Gey, 52 BIBL. NUTR. DIETA. 75-91 (1995).	
	A59	Black, 85 BRIT. J. NUTR. S193-S197 (2001).	
	A60	Bostom et al., 49 KIDNEY INT. 147-152 (1996).	
	A61	Chang et al., 51 AMER. J. CLIN. NUTR. 826-31 (1990).	
	A62	Moser-Veillon et al., 52 AMER. J. CLIN. NUTR. 135-41 (1990).	
	A63	Kang-Yoon et al., 56 AMER. J. CLIN. NUTR. 548-58 (1992).	
	A64	Christian et al., 130(11) J. NUTR. 2675-82 (2000).	
	A65	Chelated Materials available at http://www.paws4us.com/minerals.html	
	A66	Lapido, 72 AMER. J. CLIN. NUTR. 280S-290S (2002).	
	A67	Schöll et al., 146 AMER. J. EPIDEM. 134-141 (1997).	
	A68	Zile et al., 131 (3) J. NUTR. 705-708 (2001).	
	A69	Mayne, 10 FASEB JOURNAL 690-701 (1996).	
	A70	Dawson-Hughes et al, NEW ENG. J. OF MEDICINE 670-676 (1997).	
	A71	Lips et al., J. OF CLIN. ENDOCRINOL. METAB. 1212-21 (2001).	
	A72	Rock et al., 96(7) J. OF AMER. DIET ASSOC. 693-702 (1996).	
	A73	Woods et al., 185(1) AMER. J. OBSTET. GYNECOL. 5-10 (2001).	

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	A74	Kharb, 1 EURO. J. OBSTET. GYNECOL. REPROD. BIOL. 37-39, (2000).	
	A75	Milczarek et al., 210 MOL. CELL. BIOCHEM. 65-73 (2000)	
	A76	NATIONAL RESEARCH COUNCIL 10 th ed. 115-173 (1989).	
	A77	Stampfer, 328 NEW ENG. J. MED. 1444-1449 (1993.)	
	A78	Vanderput et al., EXP. BIOL. MED. 243-70 (2001).	
	A79	Defalco, et al., 27 CLIN. EXP. OBSTET GYNECOL. 188-190 (2000).	
	A80	Eskes, 27 CLIN EXP OBSTET GYNECOL. 157-167 (2000)	
	A81	Locksmith et al., 91 OBSTET. GYNECOL. 1027-34 (1998)	
	A82	Robinson et al., 94 CIRCULATION 2743-2748 (1996).	
	A83	Henkin et al., 91 AMER. J. MED. 239-246 (1991).	
	A84	Bothwell, 72 AMER. J. CLIN. NUTR. 257S-64S (2000).	
	A85	Sifakis et al., 900 ANN. N.Y. ACAD. SCI. 125-136 (2000).	
	A86	Groff et al., ADVANCED NUTRITION AND HUMAN METABOLISM 341 (1995 2 nd edition)	
	A87	Agus et al., 17 CRITICAL CARE CLINICS 175-187 (2001)	
	A88	Shecter et al., 102 J. OF AM. HEART ASSOC. 2353-2358 (2000)	
	A89	Zima et al., 17 BLOOD PURIF. 182-186 (1999)	
	A90	Srinivas et al., 68 INDIAN J OF PEDIATRICS 519-522 (2001)	
	A91	Yang et al., 13 BIOMED ENVIRON SCI. 280-286 (2000)	
	A92	King, 71 AMER. J. CLIN. NUTR. 1334S-1343S (2000)	
	A93	Uauy et al., 67 AMER. J CLIN. NUTR. 952S-959S (1998)	
	A94	Weigel et al., 12 CONTROLLED CLINICAL TRIALS 378-394 (1991)	
	A95	www.cdc.gov Preventing Neural Tube Birth Defects	

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